

REMARKS

Foreign Priority

Applicant notes that the Examiner has not acknowledged Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d), or confirmed that the certified copy of the priority document has been received at the Patent Office.

Therefore, Applicant hereby requests the Examiner acknowledge Applicant's claim to foreign priority, and that the certified copy of the priority document has been received.

Drawings:

Applicant thanks the Examiner for indicating that the drawings filed with the present application have been approved.

Information Disclosure Statement:

Applicant thanks the Examiner for initialing and returning Form PTO/SB/08 A & B filed on September 9, 2003, thus indicating that all of the references listed thereon have been considered.

Claim Rejections:

Claims 1-20 are all the claims pending in the application, and currently all of these claims stand rejected.

35 U.S.C. § 112 2nd Paragraph Rejection - Claims 1-20:

Claims 1-20 stand rejected under 35 U.S.C. § 112, 2nd paragraph as being indefinite. Specifically, the Examiner has indicated that a "rear substrate" cannot comprise a data electrode, partisan walls, etc.

Applicant respectfully traverses the above rejection. The present application indicates that the rear substrate contains the items identified by the Examiner. Specifically, with regard to non-limiting embodiment of Figure 8, the present application indicates that the rear substrate 10 has the same structure as the rear substrate 352 (from Figure 1), except having the partition wall. Specification, page 14, lines 22-26. In discussing the substrate 352, the present application indicates that the substrate contains *inter alia* an electrically insulating substrate 301, data electrodes 307, and a partition wall 315.

Therefore, Applicant submits that the Examiner's comments in rejecting the present claims are in error. The present application specifically and clearly describes non-limiting embodiments of the claimed invention, such that a skilled artisan would be able to determine the scope and meaning of the present claims.

35 U.S.C. § 102(e) Rejection - Claims 1-10, and 15-20:

Claims 1-10 and 15-20 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,661,170 to Amemiya. In view of the following discussion, Applicant respectfully traverses the above rejection.

As an initial matter, Applicant notes that Applicant has amended claims 1 and 15 to incorporate some of the limitations of claim 13. By failing to reject claim 13, the Examiner has admitted that the prior art fails to disclose or teach this aspect of the present invention. As such, Applicant submits that claims 1-20 are now in condition for allowance.

Specifically, Amemiya fails to disclose or teach having a plurality of partition walls formed in a display area and around a boundary between the display area and the non-display

area on an electrically insulated substrate. *See* claims 1 and 15. In Amemiya, the partition walls are joined to each other with curved partition walls 35b in a lengthwise direction within the display area. This is shown in Figure 5 of Amemiya.

Further, in Amemiya the coupling arc elements 35b' are used to prevent impairing the sustaining discharge by the transverse wall 35b of the partition wall 35 in the display area. However, this structure is only within the display area. There is no disclosure or discussion of any structures in a non-display area of the Amemiya. Thus, Amemiya fails to disclose each and every feature of the claimed invention.

In view of the foregoing, Applicant submits that Amemiya fails to disclose each and every element of the claimed invention, in particular the claimed etching adjustment layer. Therefore, Amemiya fails to anticipate the claimed invention, as required under the provisions of 35 U.S.C. § 102(e). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the 35 U.S.C. § 102(e) rejection of the above claims.

Conclusion:

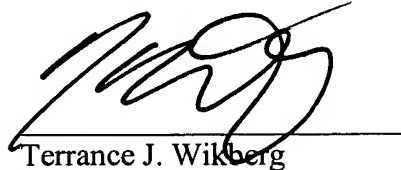
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
Application Number: 10/657,101

Our Ref: Q77347
Art Unit: 2879

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Terrance J. Wikberg
Registration No. 47,177

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 20, 2005